

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

DIMITRI D. DEARS, #835808,
Plaintiff,

v.

LT. FREDERIC TUNAITIS, et al.,
Defendants.

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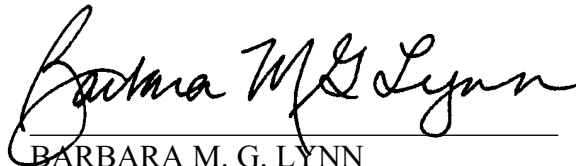
3:08-CV-1934-M

**ORDER ACCEPTING FINDINGS AND RECOMMENDATION OF
THE UNITED STATES MAGISTRATE JUDGE**

United States Magistrate Judge William F. Sanderson, Jr., made findings, conclusions and a recommendation in this case. Plaintiff filed objections, and the District Court has made a *de novo* review of those portions of the proposed findings and recommendation to which objection was made. The objections are overruled, and the Court accepts the Findings, Conclusions and Recommendation of the United States Magistrate Judge.

IT IS ORDERED that Defendants' motion to dismiss for failure to state a claim (Doc. #10) be, and it is hereby GRANTED and Defendant Kerri S. Hocking is DISMISSED with prejudice

SO ORDERED this 16th day of March, 2009.



BARBARA M. G. LYNN
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF TEXAS